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PATENT

I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date July 12, 1996

David D. McMasters
David D. McMasters

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GROUP 100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lars Björck and Ulf Sjöbring
Application No. : 08/325,278
Filed : October 26, 1994
For : PROTEIN L AND HYBRID PROTEINS THEREOF
Examiner : Anthony C. Caputa
Art Unit : 1806
Docket No. : 450023.401
Date : July 12, 1996

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON DC 20231

RESPONSE TO THE COMMUNICATION FROM THE EXAMINER

Sir:

In response to the Communication from the Examiner dated May 13, 1996, please find enclosed a computer diskette containing a copy of the Sequence Listing in Computer Readable Format, a Preliminary Amendment, a Declaration Regarding Computer Diskette, and a paper copy of the Sequence Listing.

Please find enclosed a Request for an Extension of Time, extending the time for response from June 13, 1996 to July 13, 1996.

The Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 19-1090. A duplicate copy of this response is enclosed.

Respectfully submitted,
Lars Björck and Ulf Sjöbring
SEED and BERRY LLP



David D. McMasters
Registration No. 33,963

DDM:ljt

Enclosures:

- Postcard
- Check No. 43166 for \$55
- Computer Diskette
- Copy of Response
- Request for an Extension of Time (+2)
- Copy of Communication from Examiner
- Copy of Form PTO-1533 dated 5/19/95
- Copy of Notice to Comply
- Preliminary Amendment
- Declaration Regarding Computer Diskette
- Paper Copy of the Sequence Listing

6300 Columbia Center
Seattle, Washington 98104-7092
(206) 622-4900
Fax: (206) 682-6031

ljt\sequence\452341.rms



450023.401 DSM
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/325,278	10/26/94	BJORCK	L 216764

HERMANS
SEED AND BERRY
701 FIFTH AVENUE
SEATTLE, WASHINGTON 98104-7092

18N1/0513
RECEIVED

MAY 16 1996

CAPUTA, A EXAMINER	
ART UNIT	PAPER NUMBER
1806	9

DATE MAILED:

05/13/96

Sequence Listing Due: June 13, 1996
SEED & BERRY

ENTERED IN DOCKET

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

I. Applicants' letter dated May 3, 1996 that the Office Communication of May 19, 1995 was never received is acknowledged. Enclosed is a copy of said communication.

II. This application contains sequence disclosures that are encompassed in the by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reasons set forth on the Attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANTS IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may applicants extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicants are requested to return a copy of the Attached Notice to Comply with the response.

III. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Anthony C. Caputa, whose telephone number is (703)-308-3995.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, whose telephone number is (703)-308-0196.

ANTHONY C. CAPUTA
PATENT EXAMINER

Anthony C. Caputa
Anthony C. Caputa, Ph.D.
May 6, 1996

Attachments:

Interview Summary dated 4/26/96 (Paper No. 7)
Office Communication mailed 5/19/95
Notice to Comply with the Sequence Rules

Application No. 08/325278

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. Other: _____

Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123.
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response.

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DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
08/325,278	10/26/94	BJORCK	L 216764

0272/0519

CUSHMAN DARBY & CUSHMAN
ELEVENTH FLOOR
1615 L STREET NW
WASHINGTON DC 20036-5601

0000

DATE MAILED: 05/19/95

**NOTICE TO FILE MISSING PARTS OF APPLICATION
FILING DATE GRANTED**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$_____ for large entities or \$_____ for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a ☐ large entity, ☐ small entity (verified statement filed), is \$_____.

Applicant is given **ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE** of this application, **WHICHEVER IS LATER**, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. ☐ The statutory basic filing fee is: ☐ missing ☐ insufficient. Applicant as a ☐ large entity ☐ small entity, must submit \$_____ to complete the basic filing fee.
2. ☐ Additional claim fees of \$_____ as a ☐ large entity, ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. ☐ The oath or declaration:
☐ is missing.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.
4. ☐ The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. ☐ The signature(s) to the oath or declaration is/are: ☐ missing; ☐ by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. ☐ The signature of the following joint inventor(s) is missing from the oath or declaration:

_____ An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.
7. ☐ The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$_____ under 37 CFR 1.17(k), unless this fee has already been paid.
8. ☐ A \$_____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9. ☐ Your filing receipt was mailed in error because your check was returned without payment.
10. ☒ The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
11. ☐ Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.

OFFICE COPY

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Lars Björck and Ulf Sjöbring
Application No. : 08/325,278
Filed : October 26, 1994
For : PROTEIN L AND HYBRID PROTEINS THEREOF
Examiner : Anthony C. Caputa
Art Unit : 1806
Docket No. : 450023.401
Date : July 10, 1996

Assistant Commissioner for Patents
Washington, D.C. 20231

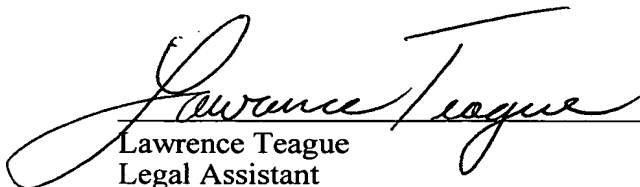
DECLARATION

Sir:

I, Lawrence Teague, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the floppy disk are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 10th day of July, 1996.


Lawrence Teague
Legal Assistant

6300 Columbia Center
Seattle, WA 98104-7092
(206) 622-4900
FAX (206) 682-6031